



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Children's Administration

1115 Washington St. SE • PO Box 45042 • Olympia WA 98504-5042

SUBJECT: Policy Change for Inquiry to Tribes

Children's Administration (CA) is recommending the discontinuation of the requirement that inquiries to Indian tribes, bands and nations be sent via certified mail, return receipt requested. These inquiries are used to determine if a child is Indian. CA will continue to comply with the requirements of the Indian Child Welfare Act and state law by sending tribes notice of the initiation of legal proceedings in state court by certified or registered mail.

Reason for Policy Change

- Cost Savings

The cost for sending to tribes in the United States is between \$5.00 and \$8.00 dollars and \$15.00 and \$18.00 to send to Canadian tribes.

Budget shortfalls have led to reduction in workforce and furlough days. CA staff has had to take on additional duties with less time. Reducing an unnecessary step will allow staff to focus on other necessary tasks related to safety, well being, and permanence, as well as saving a substantial amount of money.

- Convenience for Tribes

Many tribes have asked that these inquiries be faxed or mailed by standard postal mail. CA also is able to send the inquiries by email, particularly to local tribes, when that is available and convenient for the tribe. When they are sent certified mail return receipt requested tribal staff may have to go to the post office to retrieve the mail. This is an additional cost and workload for those tribes. If it is faxed, mailed or emailed directly to the appropriate recipient at the given tribe, they are able to receive it much sooner. This allows for quicker determination of Indian status and thus more timely involvement by the tribe.

A CA Unit that conducts tribal inquiries recently contacted tribes throughout the US to update contact information. While completing this assignment they asked if the tribes would be open to receiving inquiries by fax or standard post. All tribes that agreed to receiving faxes are designated in FamLink by a fax number when individual tribes are searched.

Determining a child's tribal affiliation continues to be a top priority for CA. Early identification of Indian ancestry supports early engagement of tribes and compliance with ICW laws and policies. Social workers will still be required to send inquiries to tribes regarding tribal affiliation. Staff uses DSHS forms 09-539 Inquiry to Indian Tribe, Band, or Nation and 04-220 Family Ancestry Chart. A module has been developed in FamLink that will document the completion of both of these forms, which tribe they are sent to, the date sent and the tribal response. Hard copies will also be maintained in the child's case file.

The policy change will be to 03.30 B. IDENTIFICATION OF CHILD'S INDIAN STATUS in the Indian Child Welfare Manual. It currently reads *'The inquiry letter must be sent by certified mail, return receipt requested, and documented in the file.'* The change will be to remove this sentence.

